

AMERICAN FRESH JUICE COUNCIL

December 29, 1997

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Dockets Management Branch (HFA-305)
Food and Drug Administration
12420 Parklawn Drive, Room 1-23
Rockville, MD 20857

Re: Proposed Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables

Ladies and Gentlemen:

On behalf of the American Fresh Juice Council (AFJC), this letter will outline our general comments on the working draft dated November 25, 1997, and the domestic meetings held December 1, 1997 through December 12, 1997, in various parts of the country.

I attended the meeting held in Salinas, California on December 10, 1997. I would like to commend the FDA on the organization of this meeting and the quality of the individuals who participated as speakers. I was impressed by the FDA's interest, which appeared to be sincere, as to the public's feedback regarding the proposed working draft of the fresh produce guidelines. I hope the FDA was sincere in its intent to listen and take into consideration the substantive comments provided, unlike their approach with the fresh juice industry.

Over the last year, the fresh juice industry (through the AFJC) has attempted to work closely with the FDA, to establish guidelines and proposed regulations to encourage all fresh juice processors to enhance the good manufacturing practices within their facility and industry so the likelihood of further outbreaks is minimized. Rather than review regulatory practices that are in existence in many states and to learn more of the specifics within the industry, the FDA chose to start from scratch and listen primarily to the consumer advocacy groups, politicians and academicians with little fresh juice processing experience. Hopefully this will not happen with the fresh produce industry.

In regard to these guidelines and the fresh juice industry, which expects to have regulations which will require HACCP plans over a predetermined time frame, we would appreciate having the working guidelines include reasonable and practical steps to encourage the fresh produce grower or processor to work with the fresh juice processors to satisfy their HACCP expectations. These guidelines need to be applied uniformly so those juice processors who are adhering to the HACCP plan requirement

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1198 West Fairmont Drive, P.O. Box 27508, Tempe, Arizona 85282

Phone: (602) 966-1770 • Fax: (602) 921-1426

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are not penalized with higher prices or smaller supply versus juice processors who are not following the HACCP requirements.

In regard to the general comments on the working draft and the process, our comments are as follows:

1. The process in establishing these guidelines is moving too quickly and there has been a lack of close contact and direct industry participation in establishing these guidelines.
2. These guidelines must be developed based on scientific data not political or consumer advocacy pressure.
3. The guidelines must be practical and not unnecessarily burdensome. In order to determine the practicality of these guidelines, it is imperative your agency visits the fields, packing houses, and processing plants, as well as talk with industry experts before these guidelines are finalized.
4. It is imperative that the dialogue between government and industry be open and feedback needs to flow both ways. Please do not ignore written input, as has been done with the fresh juice industry.
5. Make sure these guidelines reflect local conditions and take into consideration the existing state and local regulatory activities that are currently in place.
6. There have been a number of industry experts who have put together guidelines on good agricultural practices and it has taken these experts a great deal of time to complete their activities. These experts should be consulted.
7. Please make sure that industry buys into the final components of the guidelines so adherence to these practices will be industry wide.

Even though the fresh produce and fresh juice industries have extremely safe track records, we all want to improve food safety for our customers, the American consumer. We are concerned that we will be forced to accept guidelines that are not practical and that are not based on scientific results or data. As the ones who have the most to lose, from problems within our respective industries, it makes sense that we need to participate in improving the standards. If the FDA and Federal government are willing to work in partnership with the industry experts, our common goals can be achieved. Thank you for your consideration.

Sincerely,



Marc Isaacs
Chairman

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